

EXHIBIT

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EXHIBIT 40

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

STATE OF NEW YORK, et al.

Plaintiffs,

v.

ROBERT F. KENNEDY, JR., in his official capacity as
SECRETARY OF THE U.S. DEPARTMENT OF HEALTH
AND HUMAN SERVICES, et al.,

Defendants.

Case No. 1:25-cv-00196 (MRD)

DECLARATION OF CONNECTICUT OFFICE OF EARLY CHILDHOOD

I, Karen Pascale, declare under the penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct:

1. I am the Head Start Collaboration Office Director for the Connecticut Office of Early Childhood (CT OEC). I have personal knowledge of the facts set forth in this declaration, and if required to testify, would and could competently do so.

2. I submit this Declaration in support of the States' Motion for a Preliminary Injunction.

Professional Background

3. I am a Director at the CT OEC; I have served as the Head Start Collaboration Office Director since April of 2023. I previously served as the Senior Director of Early Childhood at the United Way, and I also served as an Early Head Start Director for the United Way. Other notable professional experience includes serving as an Education and Disabilities Coordinator and Program Manager at a Head Start program in Connecticut. I have a master's

degree in education and have devoted my entire professional career to working in early care and education and often serving the most vulnerable children in Connecticut.

4. The CT OEC's mission is embodied in its enabling statute, Connecticut General Statutes (C.G.S.) section 10-500. Among other salient provisions included within C.G.S. § 10-500, CT OEC's mission includes, but is not limited to: ". . . Delivering services to young children and their families to ensure optimal health, safety and learning for each young child . . . developing a state-wide developmentally appropriate kindergarten entrance inventory that measures a child's preparedness for kindergarten . . . continually monitoring and evaluating all early care and education and child care development programs and services, focusing on program outcomes in satisfying the health, safety, developmental and educational needs of all children . . . providing information and technical assistance to persons seeking early care and education and child development programs and services . . . integrating early childhood care and education and special education services . . . performing any other activities that will assist in the provision of early care and education and child development programs and services . . ."

5. CT OEC has one office location at 450 Columbus Boulevard in the state's capitol, Hartford, Connecticut. The vast scope of the agency's work includes, but is not limited to facilitating and coordinating Head Start services to best meet the needs of the children and families served; in short, to ensure the efficient administration of the Head Start Program. Other noteworthy programs that the CT OEC administers are the state's child-care subsidy program, Care For Kids, and the state's early intervention, Birth To Three, program.

The Head Start Program

6. The federal Head Start program, founded in 1965, promotes school readiness for children of low-income families from birth to 5 years old. Head Start services support early learning and development, health, and family wellbeing.

7. Head Start is administered by the Office of Head Start (OHS) within the Administration for Children and Families (ACF) of the U.S. Department of Health and Human Services (HHS).

8. Head Start programs include Early Head Start (EHS) programs for infants, toddlers, and expectant families and Head Start preschool programs for primarily 3- and 4-year-old children. In addition, Head Start includes American Indian and Alaska Native (AIAN) Head Start programs and Migrant and Seasonal Head Start (MSHS) programs serving farmworker families.

9. Head Start provides vital services to low-income children and families. In addition to providing high quality childcare and early childhood education, Head Start programs connect children and families to wrap around social services and supports. Head Start programs integrate state benefit programs to provide children with meals and snacks during the school day, as well as diapers for young children, enrollment assistance in health insurance plans, and supports for parents including connections to career services and adult education.

10. The Head Start program is largely administered at the federal level by HHS employees working out of HHS Regional Offices.

11. In Connecticut, the Head Start program serves over five thousand children and their families; there are twenty-two (22) Head Start programs throughout the state, including grant recipients and delegate agencies. Programs receive almost \$84 million dollars

(\$83,584,000.) in federal Head Start funding annually. There is a Head Start and/or Early Head Start program in every county in Connecticut.

12. I am providing this declaration to explain the impacts on Connecticut and the Office of Early Childhood regarding the changes to Head Start, including a reduction in staffing, since April 1, 2025. These changes have created a situation whereby, *inter alia*, it is unclear who (if anyone) has been designated as Connecticut's Program Specialist and liaison. For example, the Head Start Enterprise System still shows the Agency's Program Specialist as an individual who was terminated on April 1, 2025. Recently, during an Office of Head Start webinar entitled "Office of Head Start Operations Update," although the undersigned was registered to attend, when attempting to launch the link to attend the videoconference, a message was received indicating the webinar had reached capacity. It is the undersigned's understanding that the webinar's purpose was to share information about the regional realignment and how to reach the Office of Head Start, but the webinar lasted less than ten (10) minutes.

13. The workplace demands placed on the undersigned since the massive April 1 reduction in force and closing of the Region 1 office has increased exponentially, particularly among communications with programs that are awaiting Notice of Awards, Balance of Funds, and those awaiting news of the status and disposition of competitive grant applications. A one-person operation, the undersigned has spent additional and increased time attending in-person, onsite Head Start meetings, events, press conferences and preparing *ad hoc* Head Start reports and Fact Sheets. In addition, the undersigned is being sought out by various programs seeking support regarding the recently communicated (but unclear) new justification process to drawdown previously approved budgetary expenditures. In addition, CT OEC submitted a "carry-over" request application in the amount of \$65,564.00 on April 1, 2025, and while a

federal fiscal contact acknowledged receipt and exchanged some preliminary communications; given the agency's Program Specialist was terminated on April 1, 2025, the CT OEC has not yet received any final communication regarding the status of the "carry-over" request. In the past, such requests were routinely processed promptly.

Reliance on HHS Head Start Staff Prior to April 1, 2025

14. Prior to April 1, 2025, the CT OEC Head Start Collaboration Office regularly relied on HHS Head Start staff (and typically communicated weekly or bi-weekly) for many aspects of the routine operation of the CT OEC Head Start Collaboration Office.

15. The HHS Head Start staff with whom we communicated and relied upon were primarily located in the Regional Office of Region 1, in Boston.

Changes in HHS Head Start Operations Since April 1, 2025

16. Since April 1, 2025, CT OEC and various Head Start programs have seen significant changes to the operations of HHS's Head Start Program. For example, it was unprecedented in the past for programs to receive their Notice of Awards mere days before the scheduled annual funding was to commence. In addition, many programs are jointly funded by the federal and state governments; if the federal funding is eliminated or reduced it impacts the programs' ability to sustain the classrooms since both funding streams are relied upon to support the programs.

17. Specifically, we have been told that as of April 1, 2025, the Regional Office for Region 1, located in Boston has been closed.

18. On April 3, 2025, CT OEC received an email from Laurie Todd-Smith, Ph.D., Deputy Assistant Secretary for Early Childhood Development of ACF confirming the closure of

5 HHS Regional Offices effective April 1, 2025, and requesting that communications to HHS about Head Start be directed to the following email address: ohsrecipientsupport@acf.hhs.gov

Effect on State's Head Start Program

19. The CT OEC has been significantly affected by the changes to the HHS Head Start Program described above primarily due to the lack of communication with any Program Specialist.

20. We have also seen delays in communication regarding funding for the “carry-over” requested and it has been represented to the CT OEC Head Start Collaboration Office that programs are receiving slower response time to inquiries. The changes to the HHS Head Start Program have placed a burden on the CT OEC because staff at the HHS Head Start Program are no longer available to field questions and inquiries from Head Start Programs. Those Programs are now contacting CT OEC frequently, placing a burden and strain on CT OEC’s sole Head Start Collaboration Office staff member.

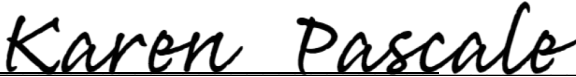
21. There is imminent risk that funding to Head Start programs in Connecticut will be delayed because the HHS Head Start staffing cuts may have impacts on HHS’s ability to make payments to Head Start Programs. This will in turn harm Connecticut directly as described above and because there were 1,611 Head Start staff reported in the 2023-2024 Program Information Report; these taxpaying employees contribute to the state’s economy.

22. These changes risk significant harm to young children and their families in Connecticut because families may not have a safe place to bring their children for affordable child care or parents may be unable to work; parents may potentially place their children in unlicensed child care. In addition, if children do not have access to high-quality learning environments, among other detriments, they would lose the ability to socialize with other

children. These high-quality learning environments also provide students with breakfast, lunch and snacks. And many early HS programs provide diapers (reducing a costly expenditure for families) and monitor regular pediatric and dental visits including ensuring preventative care.

Conclusion

23. The changes to the HHS Head Start Program described above and the uncertainty created regarding the receipt of future awards--coupled with additional justifications required for previously authorized expenditures--creates an untenable, unstable and unsustainable environment.



Karen Pascale

Date: May 7, 2025